

## UNITED STATES DISTRICT COURT

for the

Western District of Virginia

JUL 30 2008

JOHN F. CORCORAN, CLERK  
BY: *[Signature]*  
DEPUTY CLERK

United States of America )

v. )

OSCAR LUKE MUSE )

) Case No: DVAW705CR00100-001) USM No: 11923-087Date of Previous Judgment: 06/12/2006 )) Randy V. Cargill, Esq.

(Use Date of Last Amended Judgment if Applicable) )

) Defendant's Attorney

## Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

IT IS ORDERED that the motion is:

☒ DENIED. ☐ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of \_\_\_\_\_ months is reduced to \_\_\_\_\_.

## I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)

Previous Offense Level: \_\_\_\_\_

Amended Offense Level: \_\_\_\_\_

Criminal History Category: \_\_\_\_\_

Criminal History Category: \_\_\_\_\_

Previous Guideline Range: \_\_\_\_\_ to \_\_\_\_\_ months

Amended Guideline Range: \_\_\_\_\_ to \_\_\_\_\_ months

## II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE

- ☐ The reduced sentence is within the amended guideline range.  
☐ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.  
☐ Other (explain): \_\_\_\_\_

## III. ADDITIONAL COMMENTS

See Attached Memorandum Opinion.

Except as provided above, all provisions of the judgment dated 06/12/2006 shall remain in effect.

IT IS SO ORDERED.

Order Date: 07/30/2008*[Signature]*

Judge's signature

Effective Date: \_\_\_\_\_  
(if different from order date)

Hon. Glen E. Conrad, United States District Judge

Printed name and title